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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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DAVID TODD MAYES,

Plaintiff,

*versus*

ZENA STEPHENS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:18-CV-162

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff David Todd Mayes, a prisoner confined at the Jefferson County Correctional Facility, proceeding *pro se*, brought this civil rights action pursuant to 42 U.S.C. § 1983 against Sheriff Zena Stephens, Major Turner, Lieutenant Hawkins, Lieutenant Marris, Sergeant Neighbors, and Correct Care Solutions.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends dismissing the action without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

## ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#12) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Plano, Texas, this 11th day of December, 2018.

A handwritten signature in cursive script, reading "Marcia A. Crone".

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE